

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln of: Gouelibo et al.



Atty. Docket No.: C4-603

Appln. No.: 09/381,752

International Appln. No. PCT/US98/05909

Int'l Filing Date: 03/24/1998

Title: SEMI-AUTOMATIC APPARATUS FOR AFFIXING ANTI-THEFT DEVICE
TO AN ARTICLE

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR STATUS OF APPLICATION

Sir:

This is a request for the status of the above-identified application. The Applicant is further requesting correction and/or clarification of the status information appearing in the on-line PTO Patent Application Information Retrieval (PAIR) system.

A Notice of Abandonment was mailed on June 8, 2000 for the application, however the holding of abandonment was later withdrawn. The Applicant filed a Renewed Petition Under 37 CFR 1.47(a) on January 2, 2002 in response to the Notice of Abandonment of June 8, 2000, and this Petition was granted in a Decision mailed May 2, 2002. A copy of the Decision on the Petition is attached hereto.


Also attached is the Withdrawal of Previously Sent Notice mailed May 23, 2002 in connection with this application. The Notice states that the Notice of Abandonment mailed June 8, 2000 was sent in error, and that it should be disregarded. Further attached is the Notice of Acceptance of Application under 35 U.S.C. 371 and 37 C.F.R. 1.494 or 1.495 mailed on May 23, 2002 concurrently with the Withdrawal of Previously Sent Notice. The Notice of Acceptance indicates the date of receipt of all 35 U.S.C. 371 (c) requirements as September 22, 1999.

It has come to the attention of the Applicant that on the "Bibliographic Data" page in PTO PAIR the status of this application is indicated as "Abandoned – Incomplete Filing." The Status Date for this entry is indicated as 09/20/2001. The "Transaction History" page in PTO PAIR indicates that the Applicant's Petition to withdraw the holding of abandonment was granted on 04/29/2002. The "Transaction History" in PAIR shows that the application had pending status as of 09/25/2002, a year after the abandonment date appearing in the "Bibliographic Data" section.

The application was accepted under 35 U.S.C. 371 on May 23, 2002, but to date the application is still awaiting substantive action. The Applicant believes this application may have been erroneously held in abandonment. Please advise the status of the application and when Applicant can anticipate action thereon.

Respectfully submitted,

28 March 2008
Date


Leah Saar
Reg. No. 54,417

MAILING ADDRESS:


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CERTIFICATION UNDER 37 CFR 1.8

I hereby certify that the documents referenced herein are being deposited with the United States Postal Service as First Class Mail on the date indicated below and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: 28 March 2008

Depositor's Name: Leah C. Saar

Depositor's Signature: 



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/381,752		Didier Gouelibo	C4-603

Rick F Comoglio
Sensormatic Electronics Corporation
951 Yamato Road
Boca Raton, FL 33431-0700



CONFIRMATION NO. 4393
WITHDRAWAL OF ABANDONMENT
NOTICE



OC000000008044525

Date Mailed: 05/23/2002

WITHDRAWAL OF PREVIOUSLY SENT NOTICE

It has come to the attention of the Office that the Notice mailed on 06/08/2000 was sent in error. Please disregard that Notice. The application is complete and will be processed for examination. The Official Filing Receipt is enclosed. We apologize for any inconvenience this has caused.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/381,752	Didier Gouelibo	C4-603

INTERNATIONAL APPLICATION NO.
PCT/US98/05909

I.A. FILING DATE	PRIORITY DATE
03/24/1998	03/28/1997

Rick F Comoglio
 Sensormatic Electronics Corporation
 951 Yamato Road
 Boca Raton, FL 33431-0700



CONFIRMATION NO. 4393
 371 ACCEPTANCE LETTER



OC000000008154063

Date Mailed: 05/23/2002

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.494 OR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as an Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>09/22/1999</u>	<u>09/22/1999</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF RECEIPT OF ALL 35 U.S.C. REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** *The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363).* Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- U.S. Basic National Fee
- Assignee Statement
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

ANITA D JOHNSON

Telephone: (703) 305-3661

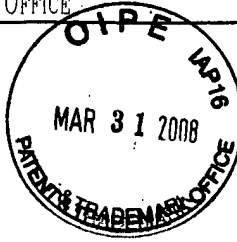
PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

APR 26 2002



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D. C. 20231
www.uspto.gov

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C4-603

In re Application of :
GOUELIBO, et al. :
U.S. Application No. 09/381,752 :
PCT No.: PCT/US98/05909 :
Int. Filing Date: 24 March 1998 :
Priority Date: 28 March 1997 :
For: SEMI-AUTOMATIC APPARATUS FOR :
AFFIXING ANTI-THEFT DEVICE TO :
AN ARTICLE :

MAY 02 2002

DECISION ON RENEWED
PETITION UNDER
37 CFR 1.47

This decision is in response to "RENEWED PETITION UNDER 37 CFR 1.47(a)" filed via facsimile on 02 January 2002. In a decision dated 02 November 2001, the "RENEWED PETITION UNDER 37 CFR 1.47(a)" filed 14 December 1999 was dismissed because applicant did not provide adequate proof that the missing inventor, Alain Dameme, refused to execute the application or could not be reached after diligent effort.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and behalf of the nonsigning joint inventor. The 29 September 1999 decision indicated that petitioner has satisfied items (1), (3) and (4) above.

As to Item (2), a review of the present petition and the accompanying papers reveal that applicant has satisfied item (2), in that the applicant has shown that a bona fide attempt was made to present the application papers, including the specification, claims, and drawings to Alain Dameme and that Mr. Dameme has refused to execute the application.

Accordingly, it is appropriate to accord the national stage application status under 37 CFR 1.47(a).

CONCLUSION

The renewed petition under 37 CFR 1.47(a) is GRANTED.

The application will be given an international filing date of 24 March 1998 under 35 U.S.C. 363, and a date of **22 September 1999** under 35 U.S.C. 371(c).

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the nonsigning inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.



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